

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF: JUST et al.
 SERIAL NO.: 10/598,012
 FILED: August 15, 2006
 FOR: NITROUS BRIDGES DERIVATIVES OF 6H-DIBENZ[C,E]...
 DOCKET: PRINZ S5094 CONFIRMATION NO. 9199

MAIL STOP RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

FAX RECEIVED
 OCT 28 2010
 OFFICE OF PETITIONS

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-entitled matter, Applicants wish to bring to the attention of the Patent Office additional prior art received in connection with a Search Report and Written Opinion issued in Applicants' corresponding PCT application. Attached is U.S. Patent Office Form PTO-1449, including copies of some of the prior art references listed therein, and a copy of the Search Report and Written Opinion. Where available, English language counterparts and/or abstracts are also provided for Examiner's convenience. Applicants are not submitting copies of the U.S. Patent Publication as the Office waived the requirement. The JP '541 and '268 references are already of record in this case. Thus, additional copies are not being provided. The claims in the present application are believed to be patentably distinguished over these references.

This Information Disclosure Statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the

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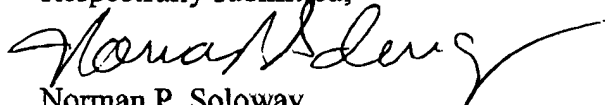
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information thus disclosed in fact constitute prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

In compliance with the requirements of 37 CFR § 1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. § 1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a copy of the Search Report and Written Opinion by a PCT Examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a PCT patent application on the same subject matter. However, no independent analysis of the reference, the accuracy of the statement of PCT Examiner or the claims of the PCT application under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the PCT Examiner's comments submitted therewith.

The enclosed Supplemental Information Disclosure Statement is being submitted with a Petition to Withdraw from Issue and an RCE. Therefore, we believe there are no fees involved with this Supplemental Information Disclosure Statement. However, in the event there are any fees payable, please charge them to our Deposit Account No. 08-1391.

Respectfully submitted,



Norman P. Soloway
Attorney for Applicants

CERTIFICATE OF TRANSMISSION VIA FACSIMILE

I hereby certify that this correspondence is being sent via facsimile to the United States Patent and Trademark Office at facsimile number 571-273-0025 on October 28, 2010 from Tucson, Arizona.

By  _____

NPS:sb